

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS (Eastern Division)**

**DIRECTV, Inc.**

Plaintiff,

vs.

**David Annand**

Defendant

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) Case No.: **03cv12325 MLW**

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**PLAINTIFF'S NOTICE OF AMENDED  
COMPLAINT**

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Please take notice, that enclosed is a copy of the Amended Complaint filed in this action as a matter of course, pursuant to Rule 15(a), Federal Rules of Civil Procedure.

The Amended Complaint is not asserting any new or additional demands for relief against the defendant; therefore a copy of the Amended Complaint and this notice will be served upon the Defendant, pursuant to Rule 5 of the Federal Rules of Civil Procedure.

Should the Defendant thereafter fail to plead or otherwise defend against the Amended Complaint, pursuant to the provisions Rule in 15(a) of the Federal Rules of Civil Procedure, the Plaintiff intends to request that default again be entered against the Defendant. Thereafter the Plaintiff intends to move for Default Judgment pursuant to the remedies provisions of the Amended Complaint which now provides that in the event of a default DIRECTV will seek:

“...an award of statutory damages of *up to \$10,000* for violations of 47 U.S.C. § 605(a), a further award of DIRECTV’s reasonable attorneys’ fees in the amount of \$850.00 and costs” (*emphasis added*)

10/5/04

Date

/s/ John M. McLaughlin

John M. McLaughlin (BBO: 556328)

**Green, Miles, Lipton & Fitz-Gibbon**

77 Pleasant Street

P.O. Box 210

Northampton, MA 01061-0210

(413) 586-0865

**CERTIFICATE OF SERVICE**

I, John M. McLaughlin, attorney for the Plaintiff, hereby certify that on the 5<sup>th</sup> day of October 2004, a copy of the foregoing was sent via first class mail:

David Annand  
32 E. Russell Mills Rd.  
Plymouth, MA

/s/ John McLaughlin

John M. McLaughlin